



Local Rule 3011-1 Procedure for Payment of Unclaimed Funds (2014)

(a) Requirements for Payment of Unclaimed Funds. The Court may not disburse unclaimed funds without an application for payment of unclaimed funds, notice of the application and a court order authorizing payment of unclaimed funds.

(b) Application for Payment of Unclaimed Funds. The following documentation is required in order to obtain a court order authorizing payment of unclaimed funds:

(1) Requirements for individuals. An application for payment of unclaimed funds should substantially conform to [Local Form 3011-1](#) [1]. Claimant must submit a photocopy of a valid photo identification issued by a government entity, such as a driver's license or passport. The application shall include the last four (4) digits of the claimants social security number.

(2) Requirements for Assignee of Claimant or Representative of Estate of a Deceased Claimant. An application for payment of unclaimed funds submitted by an Assignee of Claimant or Representative of Estate of a Deceased Claimant should substantially conform to [Local Form 3011-1](#) [1]. If the claimant is an assignee, claimant must provide documents establishing the chain of succession and assignment from the original claimant as proof of entitlement to the funds. If the claimant is a representative of the estate of a deceased claimant, certified copies of all probate documents to substantiate the representative's right to act on behalf of the decedent's estate must be provided as proof of entitlement. The assignee or the representative must comply with paragraph (1) above.

(3) Requirements for corporations. An application for payment of unclaimed funds submitted by a corporation should substantially conform to [Local Bankruptcy Form 3011-1](#) [1]. In addition, if the claimant is a successor corporation, claimant must provide documents establishing the chain of succession of the original corporate claimant as proof of entitlement to the funds. The application shall also include the tax identification number of the corporate claimant.

(4) Requirements for funds locators. An application for payment of unclaimed funds submitted by a funds locator should substantially conform to [Local Bankruptcy Form 3011-1](#) [1]. In addition, the funds locator shall provide documentation establishing their authorization to act on behalf of claimant. The application shall also include the tax identification number or the last four digits of the claimant's social security number.

(c) Service of the Application. An application for payment of unclaimed funds and a notice that any objection to the application must be filed within 21 days from the date of mailing of the application shall be filed with the Bankruptcy Court Clerk's office and mailed to the debtor, debtor's attorney, the trustee, the United States trustee, the United States Attorney for the District of Utah and, if Claimant is not the original creditor or payee, the application and the notice must be served on the individual or entity for whom the funds were deposited.

(d) Order Authorizing Disbursement of Unclaimed Funds. If no objection is timely filed, the Court shall issue an order authorizing the disbursement requested in the application. If an objection to the application is timely received, the matter shall be referred to the Court for determination.

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Links



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[1] <https://www.utb.uscourts.gov/forms/application-payment-unclaimed-funds-template>